
Exhibit 2

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Uniformed Fire Officers Association; Uniformed Firefighters Association of Greater New York; Correction Officers' Benevolent Association of the City of New York; Police Benevolent Association of the City of New York, Inc.; Sergeants' Benevolent Association; Lieutenants' Benevolent Association; Captains' Endowment Association; and Detectives' Endowment Association,

Plaintiffs,

v.

Bill de Blasio, in his official capacity as Mayor of the City of New York; the City of New York; Fire Department of the City of New York; Daniel A. Nigro, in his official capacity as the Commissioner of the Fire Department of the City of New York; New York City Department of Correction; Cynthia Brann, in her official capacity as the Commissioner of the New York City Department of Correction; Dermot F. Shea, in his official capacity as the Commissioner of the New York City Police Department; the New York City Police Department; Frederick Davie, in his official capacity as the Chair of the Civilian Complaint Review Board; and the Civilian Complaint Review Board,

Defendants.

No. 1:20-CV-05441 (KPF) (RWL)

RULE 30(b)(6) DEPOSITION NOTICES TO ORGANIZATIONAL DEFENDANTS

Please take notice that, in accordance with the July 22, 2020, order of Court authorizing Plaintiffs to take expedited discovery in advance of the hearing on their motion for a preliminary injunction, and pursuant to Rule 30(b)(6) of the Federal Rules of Civil Procedure, Plaintiffs, by and through their undersigned attorneys, shall take the deposition upon oral examination, to be recorded stenographically, of Defendants the City of New York (the "City"), the Fire

Department of the City of New York (“FDNY”), the New York City Department of Correction (“DOC”), the New York City Police Department (“NYPD”), and the Civilian Complaint Review Board (“CCRB”) (collectively, the “Organizational Defendants”), at DLA Piper LLP (US), 1251 Avenue of the Americas, New York, New York 10020, or through virtual means mutually agreed upon by the parties, commencing at 10:00 a.m. on August 5, 2020, or at another time as the parties may agree.

In advance of the deposition, each Organizational Defendant shall designate one or more officers, directors, managing agents, or other persons who consent to testify on behalf of the Organizational Defendant, to testify regarding the subjects set forth in Schedule A. Each Organizational Defendant’s designated deponent must be prepared to testify about information known or reasonably available to the Organizational Defendant. The Organizational Defendants are requested to notify Plaintiffs as to the identity of each person who will testify for each subject not fewer than 5 days before the deposition. The deposition will take place before a Notary Public or person authorized to administer oaths for all purposes permitted pursuant to the Federal Rules of Civil Procedure and will continue from day to day until completed.

SCHEDULE A

“Unsubstantiated or Non-Final Allegations” means allegations against firefighters, corrections officers, or police officers currently classified as non-final, unsubstantiated, unfounded, or exonerated, or that resulted in a finding of not guilty, or their equivalents.

TOPICS FOR 30(b)(6) DEPOSITION

TOPIC NO. 1. “A final answer from each of the organizational defendants concerning precisely what materials are contemplated to be disclosed, in what format, where they will be disclosed, and when that disclosure is to take place.” (7/22/2020 Hr’g Tr. 83:19-23.)

TOPIC NO. 2. “[T]he timing or the circumstances of the CCRB’s response to the FOIL request” from NYCLU dated on or around July 9, 2020. (7/22/2020 Hr’g Tr. 83:24-25.)

TOPIC NO. 3. For each Organizational Defendant, terminology used to describe allegations of misconduct or disciplinary actions and standards of proof applied to allegations.

TOPIC NO. 4. For each Organizational Defendant, policies and practices for handling FOIL requests and the privacy of personnel records.

TOPIC NO. 5. For each Organizational Defendant, how Unsubstantiated or Non-Final Allegations are currently tracked or maintained.

TOPIC NO. 6. For each Organizational Defendant, policies regarding the consideration of past allegations of misconduct or disciplinary actions in employment decisions.

TOPIC NO. 7. For the City, policies and practices related to the handling of FOIL requests encompassing Unsubstantiated or Non-Final Allegations against City employees other than firefighters, corrections officers, and police officers.

Dated: July 24, 2020
New York, New York

DLA PIPER LLP (US)

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CERTIFICATE OF SERVICE

I, Anthony P. Coles, hereby certify that, on this 24th day of July, 2020, the foregoing document was served via email on the following counsel of record:

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